

Summary of Child Welfare & CPS Audits

April 10, 2018

The following summary of legislative audits and performance evaluation reviews was compiled in preparation for the 2018 audit of child protective services (CPS) by the Office of the Legislative Auditor. A review of the Legislative Auditors Web site and the WV Legislature Web site returned three performance evaluation reviews in 2013. These evaluations reviewed the performance of CPS, Worker Safety and Youth Services. Of these reviews, only the CPS performance evaluation provided performance update reports. The last CPS performance update was dated June 2016.

There were four additional audit reports dated prior to 2013. A detailed review of these reports was not completed in the interest of time and due to not being able to find performance updates to ascertain the Bureau's level of compliance. The four audits are listed as follows:

1. Post Audit Report; June 30, 2006 WV Children's Home, Financial Audit of specified spending Accounts.
2. PERD; September 13, 1998 Foster Care and Adoption, Noncompliance with Home Study Procedures Fails to Assure Protection of Foster Children.
3. PERD; January 10, 1998 Foster Care and Adoption, Issues: Lack of Management Information System; Adoption Unit Backlog; Visitation After Termination of Parental Rights; Unsigned Court Orders
4. PERD; September 16, 1996 CPS timeliness of response to referrals, While PERD updates continued to show improvement no documentation was found that BCF met full compliance.

Audit Title: Agency Review Bureau for Children and Families,
Department of Health and Human Resources, CPS

Agency Performing Audit: Performance Evaluation and Research Division (PERD)

Audit Number: PE 13-03-539

Date of Audit Report: 08/01/2013

Audit Overview:

It has become common knowledge that the State's Child Protective Services (CPS) has not been able to investigate child abuse allegations in a timely manner as stipulated in statute. The Legislative Auditor determined that labor resources are an important factor in the process of investigating child abuse allegations. Therefore, PERD examined the BCF's management of the CPS workforce, and other performance aspects that may affect the efficiency of the CPS workforce.

Issue 1: The Bureau for Children and Families, needs to improve its management of child protective services workforce resources by developing a long-term workforce plan, retention goals and reliable labor management measures.

Issue 1 Recommendations

- The BCF has difficulties with meeting statutory timelines for investigating reports of child abuse and neglect. For 2011, CPS workers only met the timeline in 48 percent of the cases. The BCF is not taking a forceful approach in achieving a CPS workforce that is capable of investigating referrals in a timelier manner.
- The overall turnover rate for CPS workers who are responsible for investigating child abuse allegations was close to 28 percent in 2012, but for trainees the turnover rate was 54 percent. These turnover rates vary in different parts of the state. The overall turnover rate may be too high, but the turnover rate for trainees is troubling and is likely inhibiting the agency from achieving an effective child protective services workforce.
- There is not a sense of urgency by the BCF in achieving a CPS workforce capable of conducting timelier investigations of child abuse allegations. The BCF does not have a long-term plan for recruitment and retention goals, criteria needs to be established for what are appropriate turnover rates, timelines for achieving appropriate turnover rates need to be established, and developing reliable workforce information for district and regional allocated positions is needed.

Issue 2: the bureau for children and families should move forward with plans to develop and implement a centralized intake system to improve the consistency, efficiency, and effectiveness of child protective services investigations.

Issue 2 Recommendations

- The current de-centralized intake system for receiving reports of child abuse and neglect in West Virginia is inefficient.
- At any given time over 120 CPS workers and hotline employees throughout the state are devoted to the duty of receiving allegation reports over the telephone. A centralized intake process has been estimated by the BCF to only require around 55 workers to receive allegations over the telephone for the entire state. Therefore, a centralized intake would free dozens of CPS workers from receiving child abuse allegations to investigating allegations.
- The BCF has studied creating a centralized intake system for more than six years and has documented the benefits experienced by other states; however, the agency has not taken any action in this area.

Issue 3: The Bureau for Children and Families Should Take a State-level Responsibility to Review, Analyze and Publicly Report Annually on Child Protective Services Fatalities and Near Fatalities Data as a Way to Improve Child Protective Services and Public Accountability.

Issue 3 Recommendations

- West Virginia has a high incidence of child deaths or near fatalities due to abuse or neglect. The state has led the nation or placed second in the incidence of child abuse and neglect fatalities

from 2000 through 2011, and the rate of child deaths in the state has been higher than the national rate for eight of these years.

- The BCF reviews information on child abuse fatalities but only at the regional level, and those reviews are not documented. The BCF should have every CPS case that resulted in the death or near-death of a child reviewed at the state level, and what is learned from the incidences that may improve the CPS process should be disseminated to all local offices, and the information should be annually reported to the Legislature to improve the agency's accountability.
- Presently, the Legislature and the public are not aware of the number of child deaths from abuse or neglect reported each year within the CPS system.

Performance Update: June 2016

A primary purpose of CPS is to investigate child abuse and neglect allegations in a timely manner as stipulated by statute. The objective of this update is to determine to what extent the BCF has complied with the recommendations made in an August 2013 performance review.

Issue 1: The Bureau for Children and Families Continues to Improve Its Management of Child Protective Services Workforce Resources and Is Working to Have a Workforce Management Plan Completed by July 1, 2016.

The BCF is in full compliance with three recommendations and partial compliance with two recommendations made in Issue 1 of the 2013 report and updated in 2015.

Issue 2: The Bureau for Children and Families Has Developed and Implemented a Centralized Intake System to Improve Child Protective Services Investigations and Is in the Process of Implementing an Online Reporting Form for Certain Mandated Reporters.

The BCF is in planned compliance for the only recommendation made in Issue 2 of the 2013 and updated in 2015.

Issue 3: The Bureau for Children and Families Is Taking the Responsibility to Review, Analyze, and Publicly Report Annually on Child Protective Services' Child Fatality and Near Fatality Data as a Way to Improve Child Protective Services and Public Accountability.

The BCF is in full compliance with two recommendations made in Issue 3 of the 2013 report.

Audit Recommendation	Last Audit Performance Update June 2016	BCF Level of Response
The Bureau for Children and Families should develop a long-term plan that establishes Appropriate Child Protective Services turnover rates, timelines for achieving the appropriate Turnover rates, and	The BCF has improved its management of CPS workforce resources and hopes to complete detailed, long-term plan for CPS' workforce by July 1, 2016.	Partial Compliance: In November 2015, the BCF began working with the Capacity Building Center for States for the purpose of receiving technical assistance on reducing staff turnover and improving retention.

Audit Recommendation	Last Audit Performance Update June 2016	BCF Level of Response
sufficient workforce levels for the state, regions and districts.		The TA will be added to work completed by the BCF to build and develop a continuous retention improvement plan.
The Bureau for Children and Families should improve the exit survey process to include More questions that focus on the nature of the work and the work environment and other factors Mentioned in this report that may contribute to CPS workers terminating their employment.	The DHHR has amended its online employee exit survey by including questions that address the nature of work and work environment.	In Compliance: The DHHR Office of Human Resource Management (OHRM) operates an online exit survey for all DHHR staff. The OHRM has amended its exit survey from the time of PERD's previous update to allow for broad-based questions that are worded in such a way as to address the nature of work for specific job fields within DHHR.
The exit survey information should be centrally compiled and made useful for workforce analysis.		During FY 2015, the OHRM began separating the survey results for CPS by job classification. This information is reviewed by BCF's executive leadership. Then shared with regional management to assist in understanding why its CPS staff chooses to leave.
The Bureau for Children and Families, needs to improve its method of compiling and monitoring its Workforce information for district and regional allocated positions.	The BCF has established a means to track turn-over rates and workforce levels for its CPS workforce.	In Compliance: In January 2016, the OHRM began reporting the number of vacancies and positions filled semimonthly to the BCF's commissioner and leadership team. For each job classification, including CPSW, the report identifies the number of allocated positions, percentage of workers with less than one year of tenure, and percentage of vacancies. The report also includes a five-month trend analysis by job classification and location.
The Bureau for Children and Families should determine to what extent the social work licensure Requirement is	Recent legislation introducing an agency-specific social work license has been beneficial to the CPS workforce.	In Compliance: In 2015, Senate Bill 559 passed, creating a new type of social work license for DHHR employees. The new restricted provisional license is

Audit Recommendation	Last Audit Performance Update June 2016	BCF Level of Response
affecting recruitment and retention.		only available to employees of the DHHR and allows individuals with a non-social work degree to obtain a social work license. The BCF states that this new license has improved recruitment.
The Bureau for Children and Families should enforce its overtime policy by scheduling regular work Assignments in a manner that minimizes the need for overtime.	The BCF is still experiencing difficulty in minimizing the need for overtime by CPS workers.	Partial Compliance: BCF has tried to implement ways to cut overtime costs including scheduling regular work assignments and allowing flexible work schedules but has not been able to reduce overtime costs. BCF has encountered a series of impediments that have prevented it from reducing overtime costs.
The Bureau for Children and Families should implement a centralized intake system for receiving Reports of child abuse and neglect.	No Update Available	Note: I could not locate a performance update for this recommendation. However, a centralized intake system has been fully implemented.
The Bureau for Children and Families should create an online form to allow mandated reporters to Report suspected child abuse and neglect.	The agency plans to start a pilot project testing the use of an online form for judges, magistrates, prosecutors, and other appropriate legal professionals in the coming month	Planned Compliance: The BCF is in planned compliance for the only recommendation in this issue. The agency plans to start a pilot project testing the use of an online form for judges, magistrates, prosecutors, and other appropriate legal professionals. Providing an online form for mandated reporters to document reports of child abuse and neglect after telephoning CPS should help streamline the process of reporting and allow for the collection of consistent information.
If the Bureau for Children and Families implements a centralized intake system, it should establish a method for	No Update Available	

Audit Recommendation	Last Audit Performance Update June 2016	BCF Level of Response
law enforcement personnel to have call priority.		
The Bureau for Children and Families should conduct a formal child fatality review for each child abuse and neglect death or near death in each state fiscal year.	The BCF completed its first annual report of state-wide child fatalities or near-fatalities due to abuse or neglect for federal fiscal year 2015.	In Compliance: The BCF is conducting a formal child fatality review for each child abuse and neglect death and near death and publishes this information in an annual report.
The Bureau for Children and Families should issue an annual report of its child fatality review to the Governor and the Legislature to include trends, demographics, maltreatment type, prior involvement, and information relating to prevention such as age of victim and contributing factors such as substance abuse.	Since the BCF began conducting formal child fatality reviews, it is identifying trends related to child fatalities and near fatalities and is using this information to educate and inform the public.	In Compliance: Since the BCF began conducting formal child fatality reviews, it is identifying trends related to child fatalities and near fatalities and is using this information to educate and inform the public.
The Legislature should consider legislation mandating the formal Bureau for Children and Families Child Protective Services child fatality and near fatality report and annual presentation to the Health and Human Resources Committee.	No legislative action has been taken on this issue.	Level of Compliance: Requires Legislative Action.
The Bureau for Children and Families should identify trends and use information as necessary to change policy, procedures and training of Child Protective Service workers.	The BCF has identified trends related to child abuse and neglect and has taken steps to improve its own performance in addressing such trends.	In Compliance: The Legislative Auditor concludes that the BCF is in compliance with recommendation 14.
The Bureau for Children and Families should identify trends and use information to educate and inform the public.	The agency is educating and informing the public through various activities.	In Compliance: The Legislative Auditor concludes that the BCF is in compliance with recommendation 14.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR CHILDREN AND FAMILIES, WORKER SAFETY

Agency Performing Audit: Performance Evaluation and Research Division (PERD)

Audit Number: PE 13-03-539

Date of Audit Report: 10/01/2013

AUDIT OVERVIEW

During interviews by the audit team with CPS workers in district offices, CPS workers expressed safety concerns about working with clients when outside the BCF offices. This audit explores the agency's current approach to CPS worker safety when delivering services in the field. The findings of the report are indicated below.

Issue 1: The Bureau for Children and Families, Needs to Establish Adequate and Uniform Safety Measures Statewide for Child Protective Services Workers When Services Are Delivered Outside the Office.

- The nature of CPS work requires that workers meet with clients in their homes at all hours of the day and night to investigate allegations of neglect or abuse, assess child safety in the home and provide services. These locations outside the office are unpredictable and often unsafe, resulting in threats to personal safety.
- While the BCF has taken some measures to protect CPS workers, these measures originate from various offices and levels of authority and consequently are fragmented, lack statewide uniformity, and in some cases are inadequate. A personal safety device providing a Global Positioning System (GPS) location, two-way communication and monitoring of workers in the field, has been discussed since 2009, but has not been purchased.
- The BCF does not have a central, uniform component in its organizational structure to promote a culture of safety, whether that be through centralized and statewide policy directives, a central office focused on safety, or a central safety officer in DHHR or the BCF.

Recommendations

1. The Department of Health and Human Resources, in conjunction with the Bureau for Children and Families, should increase its focus on worker safety and create a culture that emphasizes worker safety through creating a central and uniform focus on safety.
2. The Bureau for Children and Families should avoid any further delays in providing personal safety devices for all CPS workers, and develop a statewide, uniform practice of their use.
3. The Bureau for Children and Families should identify areas of weak/nonexistent mobile phone coverage and explore the use of other communication technology such as radio transmitters.
4. The Bureau for Children and Families should provide agency mobile phones to all field workers and require their use for state business conducted from remote locations.

5. The Bureau for Children and Families should provide methamphetamine safety training and establish stringent methamphetamine safety guidelines for social workers.
6. The Bureau for Children and Families should require safety training annually.

PERFORMANCE UPDATE:

A search of the Legislative Auditors Web site did not return any post audit reports or updates for this performance audit. However, the bureau has addressed the PERD recommendation by implementing an action plan to create a worker safety culture. The Bureau has issued cellular phones to field workers, but some remote areas still have poor signal transmission. The Bureau has provided methamphetamine safety training and implemented annual safety training.

BUREAU FOR CHILDREN AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN RESOURCES, YOUTH SERVICES

Audit Number: PE 13-09-545

Audit Report Date: November 2013

AUDIT OVERVIEW

This evaluation of the Bureau for Children and Families (BCF) is part of the agency review of the Department of Health and Human Resources, as authorized by West Virginia Code §4-10-8(b)(5). The Legislative Auditor was asked to determine how the BCF measures the effectiveness of the Youth Services Program. The findings of our review are highlighted below.

Issue 1: The BCF Is Unable to Determine the Effectiveness of the Youth Services Program Because It Lacks Sufficient Management Information.

- The BCF is not in compliance with Youth Services reporting requirements established by West Virginia Code and does not have data to determine the effectiveness of interventions for more than 80 percent of Youth Services cases. The data for the other 20 percent of Youth Services cases is not specific to the Youth Service Program and includes youth in ongoing Child Protective Services cases.
- The BCF is unable to determine which rehabilitative facilities and programs have been successful in curbing undesirable behavior, if interventions have prevented future court involvement, and the total costs of the Youth Services Program.
- The BCF tracks and reports Youth Services cases and Child Protective Services cases in the same data system, but it is unable to report data on the programs separately. Additionally, much of the data stored in the BCF system is in a narrative format, which makes the data difficult to analyze or query.

Recommendations:

1. The Bureau for Children and Families should establish performances goals and measures, then begin tracking outcome data specifically for youth who have received services through the Youth Services Program. These data should be reported in the Youth Services Annual Reports.
2. The Bureau for Children and Families should begin to track and report all information mandated by West Virginia Code §49-5b-7. The Bureau for Children and Families should update the Legislature on its progress toward meeting its mandated responsibilities within six months.
3. The Bureau for Children and Families should develop a method to allow the Family and Children Tracking System database to track and report Child Protective Services cases
4. The Bureau for Children and Families should develop a method to track and report the response to treatment for each youth in a rehabilitative facility.

Youth Services Annual Report

A search of the Legislative Auditors Web site did not return any post audit reports or PERD updates. However, BCF does issue an annual youth services report as required by state code. The report is the result of a combined review of the programs and services provided by the Department of Health and Human Resources and the Division of Juvenile Services. The report is in response to the Juvenile Justice Reform Act and Senate bill 393.

Performance Update:

Fiscal Year July 1, 2015 through June 30, 2016

The BCF continues in its efforts to implement the recommendations of the PERD review and has been able to provide some of the recommended information in the youth services annual report.

Audit Recommendation	Last Audit Performance Update June 2016	BCF Level of Response: Youth Services Annual Report SFY 2016
1. The Bureau for Children and Families should establish performances goals and measures, then begin tracking outcome data specifically for youth who have received services through the Youth Services Program. These data should be reported in the Youth Services Annual Reports.	No PERD update available.	A collaborative effort between various stakeholders will result in the sharing of information with the WV Office of Research and Strategic Planning through the Division of Justice and Community Services to evaluate programs and services in a longitudinal study across various points of contacts for youth involved with the juvenile justice system.
2. The Bureau for Children and Families should begin to track and report all information mandated by West Virginia Code §49-5b-7. The Bureau for Children and Families should		These efforts in data collection and information sharing should provide a detailed picture of how juveniles move through the justice system and when and to what degree youths are recidivating. The need and the

update the Legislature on its progress toward meeting its mandated responsibilities within six months.		importance of data collection and information sharing, along with other important advances in the juvenile justice system, were codified with the passage of Senate Bill 393.
3. The Bureau for Children and Families should develop a method to allow the Family and Children Tracking System database to track and report Child Protective Services cases and Youth Services cases separately.		
4. The Bureau for Children and Families should develop a method to track and report the response to treatment for each youth in a rehabilitative facility.		In June 2014, the West Virginia Intergovernmental Task Force on Juvenile Justice was established to conduct a comprehensive analysis of the state's juvenile justice system. An extensive review of data produced a set of policy recommendations that meets its charge: protecting public safety by improving outcomes for youth, families and communities; enhancing accountability for juvenile offenders and the system; and containing taxpayer costs by focusing resources on the most serious offenders.